

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ANGIE M. PADILLA,

Plaintiff,

vs.

CIVIL NO. 00-1633 MV/LFG

LARRY G. MASSANARI,
Acting Commissioner,
Social Security Administration,

Defendant.

ORDER RECOMMENDING DISMISSAL

THIS MATTER is before the Court *sua sponte*. On July 26, 2001, the Court granted the Martone Law Firm's motion to withdraw as counsel for Plaintiff Angie M. Padilla. The Court's order provides that Ms. Padilla will henceforth represent herself.

Also, on July 26, 2001, when the deadline for Plaintiff to file her motion to reverse or remand had expired, the Court issued an order directing Plaintiff to show cause why she has failed to file a motion to reverse or remand. The Court's order stated, "Failure to file the Motion, or otherwise show cause, will result in a recommendation to the District Court that the case be dismissed."

The Court directed a motion or response to the Order to Show Cause no later than August 31, 2001. That time period has now elapsed, and Plaintiff failed to respond to the Court's order.

Plaintiff's failure to file the motion to reverse or remand, as well as her failure to respond to the Court's Order to Show Cause, evidences an intent to abandon her claim. Accordingly, the Court

recommends that Angie M. Padilla's complaint be dismissed without prejudice.¹



Lorenzo F. Garcia
United States Magistrate Judge

¹Within ten (10) days from issuance of this recommended disposition, that party may, pursuant to 28 U.S.C. § 636(b)(1), file written objections to such recommendation. A party must file any objections within the ten-day period allowed if that party wants to have appellate review of the recommendation. If no objections are filed, no appellate review will be allowed.